

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled CYTOMODULATING PEPTIDE FOR INHIBITING LYMPHOCYTE ACTIVITY, the specification of which

(check ☐ is attached hereto.  
one)

☒ was filed on 05/03/95 as  
Application Serial No. 08/433,613  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Harold C. Hohbach, Reg. No. 17,757; Aldo J. Test, Reg. No. 18,048; Thomas O. Herbert, Reg. No. 18,612; Donald N. MacIntosh, Reg. No. 20,316; Jerry G. Wright, Reg. No. 20,165; Edward S. Wright, Reg. No. 24,903; David J. Brezner, Reg. No. 24,774; Richard E. Backus, Reg. No. 22,701; James A. Sheridan, Reg. No. 25,435; Robert B. Chickering, Reg. No. 24,286; Gary S. Williams, Reg. No. 31,066; Richard F. Trecartin, Reg. No. 31,801; C. Michael Zimmerman, Reg. No. 20,451; Walter H. Dreger, Reg. No. 24,190; Steven F. Caserza, Reg. No. 29,780; Bertram I. Rowland, Ph.D., Reg. No. 20,015, Pamela J. Sherwood, Reg. No. 36,677; Bret E. Field, Reg. No. 37,620, provided that if any one of said attorneys ceases being affiliated with the law firm of Flehr, Hohbach, Test, Albritton & Herbert as partner, employee or of counsel, such attorney's appointment as attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

Direct all telephone calls to Bertram I. Rowland, Ph.D. at (415) 781-1989.

Address all correspondence to:

FLEHR, HOHBACH, TEST,  
ALBRITTON & HERBERT  
Suite 3400, Four Embarcadero Center  
San Francisco, California 94111

File No. A-61008/BIR SANG-032

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or  
first inventor:

Roland Buelow

Inventor's signature:

[Signature]

Date:

5/5/95

Residence:

2747 Ross Road, Palo Alto, CA 94303

Citizenship:

German

Post Office Address:

2747 Ross Road

Palo Alto, CA 94303

Applicant or Patentee: Roland Buelow Attorney's Docket No.:  
Serial or Patent No.: 08/433,613 A-61008/BIR SANG-032  
Filed or Issued: 03 May 1995  
For: Cytomodulating Peptide For Inhibiting Lymphocyte Activity

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: SANGSTAT MEDICAL CORPORATION

ADDRESS OF CONCERN: 1505B Adams Drive  
Menlo Park, CA 94025

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the Patent and Trademark Office under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled CYTOMODULATING PEPTIDE FOR INHIBITING LYMPHOCYTE ACTIVITY by inventor(s) Roland Buelow described in

- ☐ the specification filed herewith  
☒ application serial no. 08/433,613, filed 03 May 1995  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Philippe Pouletty

TITLE IN ORGANIZATION President

ADDRESS OF PERSON SIGNING 1505B Adams Drive  
Menlo Park, CA 94025

A-61008/BIR  
SANGSTAT  
032



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APRIL 09, 1996

PTAS



\*100021769A\*

BERTRAM I. ROWLAND, PH.D.  
FLEHR, HOHBACH, TEST, ET AL.  
SUITE 3400  
FOUR EMBARCADERO CENTER  
SAN FRANCISCO, CA 94111-4187

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

U.S. PTO  
09/742148  
12/19/00

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 06/05/1995

REEL/FRAME: 7509/0887  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
BUELOW, ROLAND

DOC DATE: 05/05/1995

ASSIGNEE:  
SANGSTAT MEDICAL CORPORATION  
1505B ADAMS DRIVE  
MENLO PARK, CALIFORNIA 94025

SERIAL NUMBER: 08433613  
PATENT NUMBER:

FILING DATE: 05/03/1995  
ISSUE DATE:

SEDLEY PYNE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

06-27-1995

10-581

A/D

FORM PTO-1595  
1-31-92

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3ET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

## PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
Roland BuelowAdditional name(s) of conveying  
party(ies) attached? ☐ Yes ☒ No

3. Nature of Conveyance:

☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other

Execution Date: 05 May 1995

2. Name and address of receiving party(ies):

Name: Sangstat Medical Corporation

Internal Address:

Street Address: 1505B Adams Drive

City: Menlo Park

State: CA

Zip: 94025

Additional name(s) &amp; address(es) attached?

☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)  
08/433,613

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No5. Name and address of party to whom correspondence  
concerning document should be mailed:

Name: Bertram I. Rowland, Ph.D.

Internal Address: FLEHR, HOHBACH, TEST,  
ALBRITTON & HERBERTStreet Address: SUITE 3400  
FOUR EMBARCADERO CENTER

City: SAN FRANCISCO

State: CA Zip: 94111-4187

6. Total number of applications  
and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$40.00

☒ Enclosed☐ Authorized to be charged to  
deposit account

8. Deposit account number: 06-1300

Please debit any underpayment or credit any  
overpayment to the above deposit account.

Our Order No.

(Attach duplicate of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct  
and any attached copy is a true copy of the original document.

Bertram I. Rowland, Ph.D.

Name of Person Signing

Signature

01 June 1995

Date

Total number of pages including cover sheet, attachments and document: [ 2 ]

OMB No. 0651-0011 (exp. 4/94)

090 JB 06/16/95 08433613

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Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks  
Box Assignments  
Washington, DC 20231

File No. A-61008/BIR SANG-032

(26363)

Rev. 8/93

ASSIGNMENT

WHEREAS I, Roland Buelow of 2747 Ross Road, Palo Alto, CA 94303 has invented certain new and useful improvements in CYTOMODULATING PEPTIDE FOR INHIBITING LYMPHOCYTE ACTIVITY for which invention we have executed an application for Letters Patent of the United States on or about 3 May 1995 and which application may be identified in the United States Patent and Trademark Office as Serial No. 08/433,613, filed 03 May 1995; and

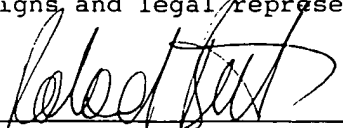
Whereas, SANGSTAT MEDICAL CORPORATION a corporation of the State of CALIFORNIA and having its principal place of business at 1505B Adams Drive, Menlo Park, CA 94025 (hereinafter referred to as assignee) is desirous of acquiring the entire right, title, and interest in and to said invention, said application and the Letters Patent to be obtained therefore;

Now, therefore, for and in consideration of One Dollar and other good and valuable considerations, to us in hand paid, the receipt and sufficiency whereof are hereby acknowledged, we have sold, assigned, and set over and by these presents do hereby sell, assign, and set over unto the said SANGSTAT MEDICAL CORPORATION and said assignee's legal representatives, successors and assigns, the entire right, title, and interest in and to said invention, said application, and the Letters Patent, both foreign and domestic, that may or shall issue thereon; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to the above-mentioned assignee agreeably with the terms of this assignment.

We hereby authorize the above-mentioned assignee or its legal representative to insert in this instrument the filing date and serial number of our said application or any other information that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Upon said consideration, we convey to said assignee the right to make application in its own behalf for protection of said invention in countries foreign to the United States and where expedient to claim under the International Convention or other international arrangement for any such application the date of the said United States application (or other application if any there be) in priority to other applications; and we do hereby covenant and agree with the said assignee that we will not execute any writing or do any act whatsoever conflicting with these presents, and that we will at any time upon request, without further or additional consideration, but at the expense of the said assignee, execute such additional assignments and other writings and do such additional acts as said assignee may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional renewal, reissued or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or chose in action accruing as a result of such application or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of the assigns and legal representatives of both parties.

Date: 5/5/95

By:   
ROLAND BUELOW